

**FILED**

**FEB 21 2006**

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U.S. COURT OF APPEALS**

**NOT FOR PUBLICATION**

**UNITED STATES COURT OF APPEALS**

**FOR THE NINTH CIRCUIT**

**RICHIE RONEEL SINGH,**

**Petitioner,**

**v.**

**ALBERTO R. GONZALES, Attorney  
General,**

**Respondent.**

**No. 04-71319**

**Agency No. A95-415-066**

**MEMORANDUM<sup>\*</sup>**

**On Petition for Review of an Order of the  
Board of Immigration Appeals**

**Submitted February 13, 2006<sup>\*\*</sup>**

**Before: FERNANDEZ, RYMER and BYBEE, Circuit Judges.**

**Richie Roneel Singh, a native and citizen of Fiji, petitions for review of an  
order of the Board of Immigration Appeals (“BIA”) summarily affirming an**

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<sup>\*</sup> This disposition is not appropriate for publication and may not be cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

<sup>\*\*</sup> The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

immigration judge's ("IJ") order denying his application for asylum. We have jurisdiction pursuant to 8 U.S.C. § 1252. We review for substantial evidence, *see Kaiser v. Ashcroft*, 390 F.3d 653, 657 (9th Cir. 2004), and we deny the petition for review.

In his opening brief, Singh concedes that he did not suffer past persecution and argues that he has a well-founded fear of persecution based on his membership in a disfavored group. Substantial evidence supports the IJ's determination that Singh failed to establish a well-founded fear of future persecution in that Singh did not establish a sufficiently individualized risk. *See Sael v. Gonzales*, 386 F.3d 922, 925 (9th Cir. 2004). Further, Singh's claimed fear of persecution is undermined by the continued presence of his father, brother and sister in Fiji. *See Hakeem v. INS*, 273 F.3d 812, 816 (9th Cir. 2001).

Pursuant to *Elian v. Ashcroft*, 370 F.3d 897 (9th Cir. 2004), Singh's voluntary departure period will begin to run upon issuance of this court's mandate.

**PETITION FOR REVIEW DENIED**